

every inmate has the opportunity to have visits on both days of the weekend.

[51 FR 26127, July 18, 1986]

§ 540.43 Frequency of visits and number of visitors.

The Warden shall allow each inmate a minimum of four hours visiting time per month. The Warden may limit the length or frequency of visits only to avoid chronic overcrowding. The Warden may establish a guideline for the maximum number of persons who may visit an inmate at one time, to prevent overcrowding in the visiting room or unusual difficulty in supervising a visit. Exceptions may be made to any local guideline when indicated by special circumstances, such as distance the visitor must travel, frequency of the inmate's visits, or health problems of the inmate or visitor.

§ 540.44 Regular visitors.

An inmate desiring to have regular visitors must submit a list of proposed visitors to the designated staff. Staff shall compile a visiting list for each inmate after suitable investigation (see § 540.51(b)). The list may include:

(a) *Members of the immediate family.* These persons include mother, father, step-parents, foster parents, brothers and sisters, spouse, and children. These individuals are placed on the visiting list, absent strong circumstances which preclude visiting.

(b) *Other relatives.* These persons include grandparents, uncles, aunts, in-laws, and cousins. They may be placed on the approved list if the inmate wishes to have visits from them regularly and if there exists no reason to exclude them.

(c) *Friends and associates—* (1) *For Minimum and Low Security Level Institutions.* The visiting privilege shall ordinarily be extended to friends and other non-relatives, unless visits could reasonably create a threat to the security and good order of the institution;

(2) *For Medium and High Security Level Institutions and administrative institutions.* The visiting privilege shall ordinarily be extended to friends and associates having an established relationship prior to confinement, unless such visits could reasonably create a threat

to the security and good order of the institution. Exceptions to the prior relationship rule may be made, particularly for inmates without other visitors, when it is shown that the proposed visitor is reliable and poses no threat to the security or good order of the institution.

(d) *Persons with prior criminal convictions.* The existence of a criminal conviction alone does not preclude visits. Staff shall give consideration to the nature, extent and recentness of convictions, as weighed against the security considerations of the institution. Specific approval of the Warden may be required before such visits take place.

(e) *Children under sixteen.* Children under the age of 16 may not visit unless accompanied by a responsible adult. Children shall be kept under supervision of a responsible adult or a children's program. Exceptions in unusual circumstances may be made by special approval of the Warden.

[45 FR 44232, June 30, 1980, as amended at 56 FR 4159, Feb. 1, 1991]

§ 540.45 Business visitors.

No inmate is permitted to engage actively in a business or profession. An inmate who was engaged in a business or profession prior to commitment is expected to assign authority for the operation of such business or profession to a person in the community. Even though the inmate has turned over the operation of a business or profession to another person, there may be an occasion where a decision must be made which will substantially affect the assets or prospects of the business. In such cases, the Warden may permit a special visit.

§ 540.46 Consular visitors.

Whenever it has been determined that an inmate is a citizen of a foreign country, the Warden shall permit the consular representative of that country to visit on matters of legitimate business. The Warden may not withhold this privilege even though the inmate is in disciplinary status.